

Message Text

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ACTION EB-08

INFO OCT-01 AF-10 ISO-00 CIAE-00 DODE-00 DOTE-00
FMC-01 INR-10 NSAE-00 CG-00 DLOS-09 OES-09 L-03
/051 W

-----072219 220928Z /12

R 220755Z AUG 78
FM AMEMBASSY LAGOS
TO SECSTATE WASHDC 153
INFO USDOC WASHDC
AMCONSUL KADUNA

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E.O. 11652: N/A
TAGS: EWWT, NI
SUBJECT: AWAFC: REQUEST FOR SECOND BERTH

REF: LAGOS 9472

1. MIN. TRANSPORT PRINCIPAL ASSISTANT SECRETARY (PORTS)
JEGA TOLD EMBOFF IN MEETING OF AUGUST 19 THAT HE HAD FOR-
WARDED MINISTRY'S RESPONSE TO EMBASSY LETTER OF JUNE 28 TO
MINISTRY OF EXTERNAL AFFAIRS. HE HAD THOUGHT AT THE TIME
THAT THE MATTER WAS TOO SENSITIVE FOR A DIRECT RESPONSE,
BUT LATER HE LEARNED FROM HIS PERMANENT SECRETARY IBIE,
THAT THE MATTER WAS QUOTE SIMPLE UNQUOTE. MINISTRY OF
TRANSPORT POSITION IS THAT SINCE IT IS IMPOSSIBLE FOR
AMERICAN WEST AFRICAN CONFERENCE LINE (AWAFC) TO NEGOTIATE
ITS FREIGHT RATES UNDER U.S. ANTI-TRUST LAWS, IT WAS IM-
POSSIBLE FOR NIGERIA TO GRANT ANY FAVORS TO AWAFC, INCLUD-
ING THAT OF SECOND APPROPRIATED BERTH. THOUGH EMBASSY HAS
NOT YET RECEIVED A COPY OF THE LETTER, JEGA SAID THAT
IBIE'S FEELINGS RUN PARALLEL TO THOSE EXPRESSED BY
TRANSPORT OFFICIAL WACHUKWU AND REPORTED IN PARAGRAPHS
3 AND 4 OF REFTEL. IF AWAFC RECEIVED SECOND BERTH
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WITHOUT FREIGHT RATE NEGOTIATIONS, MINISTRY'S NEGO-
TIATING POSITION WOULD BE WEAKENED WITH UKWAL, UNITED
KINGDOM CONFERENCE LINE. THE FMG IS PREPARED TO TAKE
AWAY UKWAL'S TWO APPROPRIATED BERTHS IF IT DOES NOT
RESCIND ITS UNILATERAL FREIGHT RATE INCREASE OF 25 PERCENT.
ACCORDING TO JEGA, IT WOULD ALSO LOOK LIKE A BREAK OF
FAITH WITH COWAC, EUROPEAN CONTINENTAL CONFERENCE LINE,

SINCE COWAC HAD AGREED TO NEGOTIATE ITS RATES BUT HAD NOT YET BEEN AWARDED ANOTHER APPROPRIATED BERTH. EMBOFF ARGUED ONCE AGAIN THAT THERE IS A VALID LEGAL DISTINCTION BETWEEN AWAFK AND COWAC OR UKWAL, BUT JEGA SAID THAT THIS CONFERENCE LINE SERVES TWO COASTS AND THEREFORE IT IS ONLY FAIR THAT BOTH NATIONS SHOULD REGULATE THE RATES.

2. COMMENT: EMBASSY FEELS THAT FURTHER REPRESENTATIONS TO FMG ON SECOND APPROPRIATED BERTH WOULD BE FRUITLESS UNLESS REPRESENTATIONS ARE BACKED BY NEW FACTS. NEGATIVE POSITION IS SUPPORTED WITHIN THE MINISTRY UP THE LEVEL OF THE PERMSEC. ITS HARD NEGOTIATING POSITION IS APPARENTLY BACKED AT THE FEDERAL EXECUTIVE COUNCIL LEVEL, IF EMBASSY CORRECTLY UNDERSTANDS STATEMENT MADE BY MIN. TRANSPORT PRINCIPAL SECRETARY AWODUMILLA. HE SAID THAT GOVERNMENT HAS CALCULATED THE COST OF TAKING AWAY UKWAL'S TWO APPROPRIATED BERTHS AND IS WILLING TO BEAR THIS COST IN ORDER TO BACK ITS POSITION.

3. QUERY: IS THE DEPARTMENT FULLY SATISFIED THAT DOOR IS ABSOLUTELY SHUT TO ANY KIND OF DISCUSSIONS BETWEEN AWAFK AND FMG? ARE THERE NO PREVIOUS EXAMPLES WITH OTHER LDC GOVERNMENTS?

WYMAN

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NNN

Message Attributes

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Concepts: STEAMSHIP LINES, PORT FACILITIES
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Draft Date: 22 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 20 Mar 2014
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ISecure: 1
Legacy Key: link1978/newtext/t19780838/aaaabfog.tel
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